

118TH CONGRESS
1ST SESSION

H. R. 2824

To support prioritization and expanded use of innovation at the United States Agency for International Development, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 2023

Mr. CASTRO of Texas (for himself and Mrs. KIM of California) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To support prioritization and expanded use of innovation at the United States Agency for International Development, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Fostering Innovation in Global Development Assistance
6 Act of 2023” or the “FIGDA Act of 2023”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title and table of contents.

Sec. 2. Findings.

Sec. 3. Sense of Congress.

Sec. 4. Chief Innovation Officer.
Sec. 5. Authorities to support expanded use of innovation.
Sec. 6. Development Innovation Ventures program.
Sec. 7. Proven Solutions program.
Sec. 8. Increase in fixed amount subawards.
Sec. 9. Authorization for United States participation in the Global Innovation Fund.
Sec. 10. Collaboration with United States International Development Finance Corporation.
Sec. 11. Global innovation strategy.
Sec. 12. Limitations.
Sec. 13. Definitions.

1 SEC. 2. FINDINGS.

2 Congress finds the following:

3 (1) The effectiveness of United States foreign
4 assistance can be greatly enhanced by fostering in-
5 novation, applying research and technology, and
6 leveraging the expertise and resources of the private
7 sector to find cost-effective solutions to today's most
8 pressing development challenges.

9 (2) Partnerships with entrepreneurs, experts,
10 nongovernmental organizations, universities, and
11 science and research institutions allow the United
12 States to find solutions to specific development chal-
13 lenges in a faster, more cost-effective, and more fi-
14 nancially sustainable way.

15 (3) Enhancing the authorities that support re-
16 sults-based and pay-for-success innovation models
17 will better enable USAID to diversify and expand
18 both the number and sources of proven solutions
19 that may be developed, tested, and scaled up, there-
20 by increasing USAID's opportunity to apply high

1 value, cost-effective solutions to global development
2 challenges.

3 (4) As demonstrated by USAID’s Development
4 Innovation Ventures program, innovation within
5 United States foreign assistance can generate high
6 social returns when it is centered on the creation of
7 and reliance on rigorous evidence of impact on glob-
8 al development outcomes, a focus on cost-effective-
9 ness, and attention to financially-sustainable proven
10 solutions that may be scaled up.

11 (5) USAID’s Center for Innovation and Impact
12 serves as an important effort to incubate new proven
13 solutions, put them into practice, and scale up effec-
14 tive approaches by drawing on non-traditional skill
15 sets in innovation, market-based solutions and dig-
16 ital health.

17 (6) USAID’s efforts to incorporate lessons
18 learned into future programs should be open to both
19 building on successful approaches and learning from
20 failures.

21 (7) Enabling uptake of evidence-based innova-
22 tion across USAID’s operating units will enable
23 USAID to scale up proven solutions that accelerate
24 economic growth and produce better development
25 outcomes, which can help support the growth of

1 healthier, more stable societies and foster trade rela-
2 tionships that translate into jobs and economic
3 growth in the United States.

4 **SEC. 3. SENSE OF CONGRESS.**

5 It is the sense of Congress that innovation is central
6 to identifying solutions to global development challenges.

7 **SEC. 4. CHIEF INNOVATION OFFICER.**

8 (a) IN GENERAL.—There shall be established within
9 USAID a Chief Innovation Officer who shall—

10 (1) serve as the principal advisor on issues re-
11 lated to the prioritization and expanded use of innova-
12 tion to improve the effectiveness and outcomes of
13 the development and humanitarian goals of the
14 United States, including related to policy, manage-
15 ment, and procurement;

16 (2)(A) carry out—

17 (i) the duties described in subsection (b);
18 (ii) the authorities described in section 5;

19 and

20 (iii) the Proven Solutions program under
21 section 7; and

22 (B) develop the strategy required by section
23 11(a); and

24 (3) report directly to—

(A) the Deputy Administrator for Policy and Programming of USAID; or

(B) such other senior official of USAID, as determined by the Administrator.

5 (b) DUTIES.—The duties of the Chief Innovation Of-
6 ficer shall include—

22 (3) utilizing innovation-driven competitions, ad-
23 vanced market commitments, and co-creation ar-
24 rangements to expand the number and diversity of
25 solutions to development and humanitarian chal-

1 lenges and the partners with whom USAID works
2 and funds;

3 (4) maintaining a repository of innovative solu-
4 tions and best practices to be shared across USAID
5 and fostering a culture of innovation across USAID;

6 (5) convening and coordinating innovation
7 units, divisions, and programs to ensure knowledge
8 around innovative solutions and best practices are
9 shared and implemented across USAID;

10 (6) supporting USAID operating units in apply-
11 ing findings from development economics and re-
12 search, technology, innovation, co-creation, and part-
13 nership approaches to decision making, procurement,
14 and program design;

15 (7) examining and providing input into current
16 internal USAID policy related to management and
17 procurement to ensure innovation is integrated in
18 policy guidance and procurement mechanisms;

19 (8) ensuring proper utilization of the authori-
20 ties relating to grants, contracts, challenges, and
21 prize awards, including Innovation Incentive Awards
22 under section 5(a) and the authority relating to In-
23 novation Fellows under section 5(b); and

(9) conduct rigorous evaluation of new mechanisms, approaches, and technologies to ensure that innovation drives learning and impact.

4 (c) BUREAU SENIOR ADVISORS.—

(A) serve as the principal advisor for such
bureau on such matters; and

(B) coordinate with the Chief Innovation Officer the activities of such bureau on such matters.

18 SEC. 5. AUTHORITIES TO SUPPORT EXPANDED USE OF IN-

19 NOVATION.

20 (a) INNOVATION AUTHORITIES.—

1 based funding to support expanded use of innovation-
2 encouragement improved development and humanitarian outcomes, expand USAID partner bases, and
3 support cost-effective and sustainable-led development solutions in partnership with local and non-traditional development partners, including the private sector.

8 (2) TYPES OF FUNDING.—The Administrator
9 may provide funding authorized under paragraph (1)
10 in the form of grants (including fixed amount awards), contracts (including firm-fixed price contracts), advanced market commitments, development impact bonds, performance-based contracts, conditional cash transfers, and prize awards, including—

15 (A) Innovation Incentive Awards; and
16 (B) evidence-driven, tiered awards under
17 the Development Innovation Ventures program
18 established under section 6.

19 (3) RECOVERY OF FUNDS.—

20 (A) AUTHORITY.—

21 (i) IN GENERAL.—The Administrator,
22 subject to the limitation described in clause
23 (ii), is authorized to provide funds under a
24 grant, contract, advanced market commitment, development impact bond, perform-

16 (B) TREATMENT OF PAYMENTS.—

4 (I) shall be merged with other
5 funds in the account; and

(II) shall be available, subject to appropriation, for the same purposes and period of time for which other funds in the account are available for programs and activities of the Chief Innovation Officer under section 4(b).

12 (b) INNOVATION FELLOWS.—

13 (1) IN GENERAL.—The Administrator, acting
14 through the Chief Innovation Officer, is authorized
15 to employ individuals, to be known as “Innovation
16 Fellows”, at any given time who shall, following an
17 initial period of service with the Chief Innovation
18 Officer, be assigned on a detail basis to USAID op-
19 erating units for purposes of expanding the use of
20 innovation, technology, and research with respect to
21 the development assistance authorities of USAID.

1 the Administrator, including authorities under parts
2 I and II of the Foreign Assistance Act of 1961 (22
3 U.S.C. 2151 et seq.).

4 (3) LIMITATION.—The employment of individ-
5 uals under paragraph (1) shall be a limited-term
6 basis pursuant to schedule A of subpart C of part
7 213 of title 5, Code of Federal Regulations, or simi-
8 lar laws or regulations.

9 (c) AUTHORIZATION OF APPROPRIATIONS.—

10 (1) IN GENERAL.—There is authorized to be
11 appropriated to carry out this section not less than
12 \$45,000,000 for each of the fiscal years 2024
13 through 2028. Such amounts are in addition to
14 amounts otherwise available to USAID to carry out
15 authorities to support expanded innovation and
16 other activities of the type as described in this sec-
17 tion.

18 (2) AVAILABILITY.—Amounts authorized to be
19 appropriated to carry out this section are authorized
20 to remain available until expended.

21 (3) ADDITIONAL FUNDING.—Amounts author-
22 ized to be appropriated under part III of the For-
23 ign Assistance Act of 1961 (22 U.S.C. 2351 et
24 seq.) for each of the fiscal years 2024 through 2028
25 are authorized to be made available to carry out sub-

1 section (b). Such amounts are in addition to
2 amounts authorized to be appropriated under para-
3 graph (1) to carry out this section.

4 **SEC. 6. DEVELOPMENT INNOVATION VENTURES PROGRAM.**

5 (a) IN GENERAL.—There is established in USAID a
6 program to be known as the Development Innovation Ven-
7 tures program (in this subsection referred to as the “pro-
8 gram”).

9 (b) DUTIES.—In carrying out the program, the Ad-
10 ministrator shall provide flexible funding to global
11 innovators to test new ideas, build evidence of what works
12 to improve development outcomes, and transition to scale
13 up those proven solutions with rigorously demonstrated
14 potential to improve millions of lives on a cost-effective
15 basis.

16 (c) APPLICATIONS.—In carrying out the program, the
17 Administrator shall assess applications for funding under
18 this subsection according to the following three core prin-
19 ciples:

20 (1) Rigorous evidence of impact.

21 (2) Cost-effectiveness.

22 (3) Potential for scaling up proven solutions.

23 (d) ADMINISTRATIVE PROVISIONS.—In carrying out
24 the program, the Administrator shall—

1 (1) provide funding under this subsection using
2 tiered, evidence-driven funding to allow for risk-taking
3 at early stages while mitigating risk at later
4 stages, thereby maximizing impact per tax dollar
5 spent; and

6 (2) work across all countries and sectors sup-
7 ported by USAID, with the goal of finding, testing,
8 and scaling up proven solutions.

9 (e) REPORTING REQUIREMENT.—Not later than 60
10 days after the date of the enactment of this Act, the Ad-
11 ministrator shall submit to the appropriate congressional
12 committees and make available to the public a report on
13 the implementation of the program that includes—

14 (1) an assessment from USAID of the extent to
15 which proven solutions have been scaled up, inside
16 and outside of USAID; and

17 (2) a description of USAID’s decision-making
18 process, including with respect to use of funding re-
19 ceived from external sources.

20 (f) AUTHORIZATION OF APPROPRIATIONS.—

21 (1) IN GENERAL.—Amounts authorized to be
22 appropriated under section 5 are authorized to be
23 made available to carry out this section.

1 (2) AVAILABILITY.—Amounts made available to
2 carry out this section are authorized to remain avail-
3 able until expended.

4 **SEC. 7. PROVEN SOLUTIONS PROGRAM.**

5 (a) IN GENERAL.—There is established in USAID a
6 program to be known as the Proven Solutions program
7 (in this subsection referred to as the “program”). The Ad-
8 ministrator, acting through the Chief Innovation Officer
9 and in consultation with the Chief Economist of USAID,
10 shall carry out the program.

11 (b) DUTIES.—

12 (1) IN GENERAL.—In carrying out the program,
13 the Administrator shall scale up proven solutions by
14 directing USAID operating units to integrate proven
15 solutions into USAID programming and operating
16 budgets, including by utilizing other authorities de-
17 scribed in this Act.

18 (2) PUBLIC REPORT.—Not later than 60 days
19 after the end of each of the fiscal years 2024
20 through 2028, the Administrator shall submit to the
21 appropriate congressional committees and the public
22 a report on all proven solutions and USAID oper-
23 ating units involved in the activities described in
24 paragraph (1) for the prior fiscal year.

1 (c) COORDINATION.—Each USAID operating unit
2 that manages more than \$50,000,000 of assistance each
3 fiscal year shall—

4 (1) review the proven solutions identified by the
5 program; and

6 (2) submit to the Chief Innovation Officer and
7 the Chief Economist of USAID—

8 (A) a list of proven solutions that can be
9 supported by the unit;

10 (B) an assessment of potential impact of
11 such proven solutions;

12 (C) an assessment of available funding to
13 scale up proven solutions; and

14 (D) any other information requested by the
15 Chief Innovation Officer and the Chief Econo-
16 mist to inform opportunities to scale up proven
17 solutions.

18 (d) DEFINITION.—In this subsection, the term “prov-
19 en solutions”—

20 (1) means innovations that are rigorously dem-
21 onstrated, such as through randomized controlled
22 trials, commercial viability, or other appropriate
23 methods, to have the potential to substantially im-
24 prove development outcomes; and

25 (2) includes—

1 (A) innovations developed or supported by
2 USAID, including the Development Innovation
3 Ventures program established under section 6,
4 Innovation Challenges and Prizes, and innova-
5 tions developed or supported by other govern-
6 ment entities, including the United States
7 International Development Finance Corpora-
8 tion; and

9 (B) innovations developed by USAID part-
10 ners, including nongovernmental organizations,
11 social enterprises, foreign governments, and
12 multilateral institutions.

13 (e) AUTHORIZATION OF APPROPRIATIONS.—

14 (1) IN GENERAL.—Amounts authorized to be
15 appropriated under chapters 1 and 10 of part I of
16 the Foreign Assistance Act of 1961 (22 U.S.C. 2151
17 et seq. and 2293 et seq.), chapter 4 of part II of
18 such Act (22 U.S.C. 2346 et seq.), and title II of
19 the BUILD Act of 2018 (22 U.S.C. 9601 et seq.)
20 are authorized to be made available to carry out this
21 section.

22 (2) AVAILABILITY.—Amounts authorized to be
23 appropriated to carry out this section are authorized
24 to remain available until expended.

1 SEC. 8. INCREASE IN FIXED AMOUNT SUBAWARDS.

2 (a) IN GENERAL.—The Administrator is authorized
3 to permit contractors to issue fixed amount subawards in
4 excess of the monetary cap provided for in section 200.333
5 of title 2, Code of Federal Regulations (or any successor
6 regulations), but not to exceed \$1,000,000, in a manner
7 consistent with appropriate safeguards.

8 (b) NOTIFICATION.—The Administrator shall notify
9 the appropriate congressional committees prior to any ex-
10 ercise of the authority of this section.

11 SEC. 9. AUTHORIZATION FOR UNITED STATES PARTICIPA-
12 TION IN THE GLOBAL INNOVATION FUND.

13 (a) IN GENERAL.—The United States is hereby au-
14 thorized to participate in the Global Innovation Fund.

15 (b) BOARD OF DIRECTORS.—The Administrator is
16 authorized to designate an employee of USAID to serve
17 on the Board of the Global Innovation Fund as a rep-
18 resentative of the United States.

(c) UNITED STATES CONTRIBUTIONS.—Amounts authorized to be appropriated under chapters 1 and 10 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq. and 2293 et seq.), chapter 4 of part II of such Act (22 U.S.C. 2346 et seq.), and title II of the BUILD Act of 2018 (22 U.S.C. 9601 et seq.) are authorized to be made available for United States contributions to the Global Innovation Fund.

1 **SEC. 10. COLLABORATION WITH UNITED STATES INTER-**
2 **NATIONAL DEVELOPMENT FINANCE COR-**
3 **PORATION.**

4 The Administrator is authorized to enter into agree-
5 ments with the Chief Executive Officer of the United
6 States International Development Finance Corporation to
7 carry out joint innovation projects, including through
8 grants, contracts, and prize awards, including Innovation
9 Incentive Awards authorized under section 5(a), and pri-
10 vate sector-led development, through the use of blended
11 finance, fixed payment rates for desired outcomes, and
12 other mechanisms, as authorized by law.

13 **SEC. 11. GLOBAL INNOVATION STRATEGY.**

14 (a) IN GENERAL.—Not later than 1 year after the
15 date of the enactment of this Act, the Administrator, act-
16 ing through the Chief Innovation Officer, shall submit to
17 the appropriate congressional committees and make avail-
18 able to the public a 5-year strategy for the purposes of
19 prioritizing and expanding the use of innovation in inter-
20 national development and humanitarian programs that—

21 (1) establishes an innovation coordination plan
22 across USAID operating units that includes the re-
23 sources, training, and staffing needs to exercise the
24 authorities described in sections 5, 6, and 7;

25 (2) discusses ongoing and planned reforms to
26 formal and informal incentives of USAID operating

1 units and staff to mainstream and document their
2 use of evidence and cost-effectiveness in strategic
3 and programming decisions, and how these reforms
4 will encourage the adoption and scaling up of proven
5 solutions across USAID;

6 (3) outlines efforts to integrate innovation ob-
7 jectives, including by using resources of USAID op-
8 erating units to scale up proven solutions, the use of
9 grants, contracts, advanced market commitments,
10 and prize awards described in section 5 into USAID
11 acquisition and assistance mechanisms and into
12 country and regional strategies;

13 (4) provides budgetary recommendations for
14 scaling up proven solutions in future fiscal years;

15 (5) outlines external efforts to improve partner-
16 ship and collaboration with relevant businesses, non-
17 governmental organizations, science and research or-
18 ganizations, United States Government organiza-
19 tions that pursue science, technology, and research,
20 universities engaged with innovation applicable to
21 the core work and mandate of USAID, partner gov-
22 ernments, and multilateral institutions;

23 (6) identifies USAID's approach to managing
24 the goals of expanded innovation with ensuring rig-
25 orous oversight of Federal funds and plans to con-

1 duct monitoring and evaluation of all activities con-
2 ducted pursuant to this Act;

3 (7) outlines, in coordination with the Chief Ex-
4 ecutive Officer of the United States International
5 Development Finance Corporation, a joint invest-
6 ment plan between USAID and the United States
7 International Development Finance Corporation to
8 exercise the authorities described in sections 5, 6,
9 and 7;

10 (8) outlines steps the Administrator will take to
11 evaluate investments made by the United States
12 International Development Finance Corporation and
13 prioritize future funding for scaling up proven solu-
14 tions from the United States International Develop-
15 ment Finance Corporation; and

16 (9) includes any other matters determined by
17 the Administrator to be appropriate.

18 (b) COUNTRY AND REGIONAL STRATEGIES.—The
19 Administrator shall require—

20 (1) each newly-issued USAID Country Develop-
21 ment Cooperation Strategy, USAID Regional Develop-
22 ment Cooperation Strategy, or other USAID plan-
23 ning document, as determined by the Administrator,
24 to include a plan of action to promote innovative de-

1 development practices, as described in the strategy re-
2 quired by subsection (a); and

3 (2) each USAID Country Development Co-
4 operation Strategy, USAID Regional Development
5 Cooperation Strategy, or other USAID planning
6 document, in effect as of the date of the enactment
7 of this Act, to be updated in order to meet the re-
8 quirements of the strategy required by subsection
9 (a).

10 **SEC. 12. LIMITATIONS.**

11 Concurrent with the submission of the Congressional
12 Budget Justification for Foreign Operations for each fis-
13 cal year, the Administrator shall submit to the appropriate
14 congressional committees a detailed accounting of
15 USAID's use of the authorities under this Act, including
16 the sources, amounts, and uses of funding for each such
17 authority.

18 **SEC. 13. DEFINITIONS.**

19 In this Act:

20 (1) **ADMINISTRATOR.**—The term “Adminis-
21 trator” means the Administrator of USAID.

22 (2) **APPROPRIATE CONGRESSIONAL COMMIT-
23 TEES.**—The term “appropriate congressional com-
24 mittees” means—

(4) COST-EFFECTIVE; COST-EFFECTIVENESS.—
The terms “cost-effective” and “cost-effectiveness”, with respect to a process, technology, policy, or service, means the process, technology, policy, or service produces more impact, such as in terms of benefit or value, for the same cost or produces the same impact for a lower cost as compared to another process, technology, policy, or service.

18 (5) INNOVATION.—The term “innovation”
19 means the development and implementation of new
20 processes, technologies, policies, or services that pro-
21 vide a greater impact or are more cost-effective than
22 current practice.

(6) INNOVATION INCENTIVE AWARD.—The term “Innovation Incentive Award” means an award pro-

1 vided under section 5(a) under which funding is pro-
2 vided on a competitive basis that—

3 (A) encourages and rewards the develop-
4 ment of solutions for a particular, well-defined
5 problem relating to the alleviation of poverty or
6 other development priority;

7 (B) helps identify and promote a broad
8 range of ideas and practices, facilitating further
9 development of an idea or practice by third par-
10 ties, relating to the alleviation of poverty or
11 other development priority; or

12 (C) leverages new incentives for achieving
13 a desired result, including establishing fixed
14 payment rates for services, or outcomes, paid
15 retroactively to a provider upon verification of
16 the provision of service or the achievement of
17 the desired outcome.

18 (7) SCALE UP.—The term “scale up”, with re-
19 spect to an innovation that is proven solution (as
20 such term is defined in section 7(d)) to a develop-
21 ment problem in one context, means the application
22 of the innovation to a development problem in an-
23 other context, such as a development problem in a
24 different geographic region or sector.

1 (8) USAID.—The term “USAID” means the
2 United States Agency for International Develop-
3 ment.

4 (9) USAID OPERATING UNIT.—The term
5 “USAID operating unit” means a bureau, inde-
6 pendent office, mission, or representative office of
7 USAID.

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